

Preliminary Amendment at Application for Reissue of US Patent No. 6,361,622
Original Patent Issue Date: 3/26/2002
M 6257RE

Remarks

Claims 1-22 issued in US Patent No. 6,361,622 which is the subject of this reissue application. Applicant hereby offers to surrender the official "ribbon copy" of the US Patent No. 6,361,622 upon receiving a Notice of Allowance in this matter. The patent is believed to be defective and Applicants have claimed both more and less than they are entitled to claim.

By this amendment, claims 1, 7 and 17 have been amended and new claims 23-27 have been added. After entry of this amendment claims 1-27 are pending, claims 1, 7, 17, 23, 26 and 27 being independent. Support for the amendments is found in the originally filed specification at page 3, lines 1-6; page 5, lines 7 - page 6, lines 20-34; and page 7, lines 12-20. No new matter has been added. Remarks made herein are based on the claims as amended hereby.

Applicants have added the additional feature of a surfactant, originally disclosed throughout the specification and in particular at page 7, line 12 et seq., to independent claims 1, 7 and 17. It is respectfully submitted that the independent claims as amended and their depending claims are patentable in view of the prior art of record.

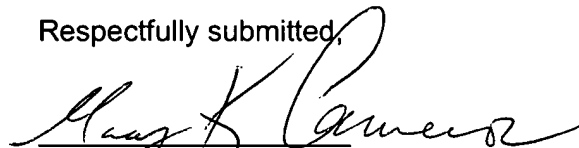
New claims 23-27 have been added. These claims have ranges of amounts of components A-D which are broader than claim 1 of the issued patent, but these ranges of amounts are narrower than original claim 1 and contain the additional feature of the presence of a surfactant. Pursuant to In re Eggert, a decision by the US Patent and Trademark Office Board of Appeals, decided but not yet published, the new claims do not violate the recapture rule and should be allowed.

Preliminary Amendment at Application for Reissue of US Patent No. 6,361,622
Original Patent Issue Date: 3/26/2002
M 6257RE

Conclusion

Applicants respectfully request reconsideration and reissue of the patent in view of the amendments and remarks contained herein. Applicants submit that the claims are in condition for reissue and a notice to that effect is respectfully requested. Should the Examiner have any questions regarding this paper, please contact the undersigned.

Respectfully submitted,



Mary K. Cameron
(Reg. No. 34,789)
Attorney for Applicants
248-589-4672

Henkel Corporation
Law Department
2300 Renaissance Boulevard, Suite 200
Gulph Mills, PA 19406

MKC/mlc
L:\M62__\M6257Reissue Prelim Amd.doc

ABSTRACT

A composition and method for coating and touching up a metal surfaces is provided. The composition contains from about 0.5 to about 240 millimoles per kilogram of a fluorometallate ion, from about 0.5 grams/liters to about 10 grams/liter of phosphorous-containing inorganic oxy anions calculated at their stoichiometric equivalent as H_3PO_4 ; ~~from about 0.05 g/l to about 3.5 g/l of~~ hexavalent chromium ~~[and from about 0.10 g/l to about 2.20 g/l of]~~ trivalent chromium ions and a surfactant.